

Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-13 ISO-00 MCT-01 SY-05 DHA-02 SS-15
NSC-05 JUSE-00 L-03 CIAE-00 DODE-00 INR-07
NSAE-00 PA-01 USIA-06 PRS-01 SP-02 /074 R

DRAFTED BY EUR/EE:NGANDREWS/LVA
APPROVED BY EUR:GVEST
-----014396 120326Z /73

R 120004Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY BELGRADE
INFO USMISSION USUN NEW YORK
AMCONSUL ZAGREB

C O N F I D E N T I A L STATE 161201

E.O. 11652: GDS

TAGS: PFOR, PDIP, ASEC, US, YO

SUBJECT: NOTE OF PROTEST FROM YUGOSLAVIA'S MISSION RE-
GARDING GRANT OF BAIL TO CROAT TERRORISTS

REF: USUN 2192

1. AMBASSADOR BELOVSKI, ON INSTRUCTIONS, CALLED ON ASST. SECRETARY VEST JULY 9 CONCERNING THE GRANTING OF BAIL TO THE CROAT TERRORISTS. HE REFERRED TO THE BRIEF DISCUSSION OF THE BAIL QUESTION IN A PREVIOUS CONVERSATION WITH VEST, SAID HE WAS TOLD TO PROTEST THE GRANTING OF BAIL AND RE-AFFIRMED THE CONCERN OF THE YUGOSLAV AUTHORITIES. HE EMPHASIZED (1) THE FACT THAT DIFFERENT CRITERIA HAD BEEN USED AND A DIFFERENT ATTITUDE SHOWN IN THE CASE OF THE TWA HIJACKERS; AND (2) THAT THE GRANTING OF BAIL MAY INFLUENCE COURT PROCEDURES AND ENCOURAGE TERRORISTS AND THE "CIRCLES" THAT STAND BEHIND THEM. HE SAID THIS OF COURSE WAS NOT
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THE US INTENTION. HE INDICATED SOME UNHAPPINESS THAT THE YUGOSLAV MISSION TO UN HAD "IMMEDIATELY RUSHED" TO GIVE YUGOSLAV PRESS REPS THE NEWS OF ITS DEMARCHE TO USUN WITHOUT ANY POSSIBILITY OF EXPLAINING US COURT PROCEDURES. HE REQUESTED THE REVERSAL OF THE COURT DECISION ON BAIL BUT ACKNOWLEDGED LACK OF INFORMATION AS TO THE COMPETENCE OF EXECUTIVE AUTHORITIES IN SUCH A MATTER.

2. VEST SAID BELOVSKI WAS WELL AWARE OF THE DIVISION OF POWERS BETWEEN THE COURTS AND THE EXECUTIVE BRANCH. HE BELIEVED THAT THE EXECUTIVE CANNOT INTERFERE IN THE MATTER OF BAIL TO REVERSE THE COURT DECISION BUT UNDERTOOK TO LOOK INTO THE CIRCUMSTANCES. HE STRESSED THAT COURT PROCEDURES WERE QUITE NORMAL EVEN IF OUTCOMES ARE VARIABLE. HE COULD ASSERT THAT GRANTING OF BAIL, WHICH IS A VERY NORMAL PART OF THE COURT SYSTEM, DOES NOT INFLUENCE COURT PROCEDURES AND THE KIND OF SENTENCE PRONOUNCED.

3. BELOVSKI EXPRESSED CONCERN THAT THE USG AND DEPARTMENT DEMONSTRATE ACTIVE INTEREST IN DEALING WITH TERRORISTS, AND VEST FIRMLY ASSURED HIM WE HAD DONE SO AND WOULD DO SO. BELOVSKI REPEATED HIS TWO MAJOR POINTS (DIFFERENCE IN CRITERIA AND ENCOURAGEMENT OF TERRORISTS). VEST SAID WE ARE CONCERNED WITH ALL ASPECTS OF THE PROBLEM AND WILL DO OUR BEST TO ENSURE THAT OUR ATTITUDE IS REFLECTED IN OUR ACTIONS. UPON LEAVING, BELOVSKI EXPRESSED SOME ANXIETY THAT THERE SHOULD HAVE BEEN THREE OCCASIONS FOR PROTEST DURING THE PAST WEEK. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TERRORISTS, DIPLOMATIC PROTESTS, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE161201
Document Source: CORE
Document Unique ID: 00
Drafter: NGANDREWS/LVA
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770246-1152
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770766/aaaacfm.x.tel
Line Count: 83
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4901e76c-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 USUN NEW YORK 2192
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1887912
Secure: OPEN
Status: NATIVE
Subject: NOTE OF PROTEST FROM YUGOSLAVIA'S MISSION RE- GARDING GRANT OF BAIL TO CROAT TERRORISTS
TAGS: PFOR, PDIP, ASEC, US, YO
To: BELGRADE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/4901e76c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009